IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 15603 of 1995

Between:

M/S.Lakshmi Brandy Shop, FL24,

Pulivendula, Cuddapah District, rep by its

Licencee R.Krishna Murthy,

S/o Obanna aged 58 years.

..... PETITIONER

AND

1. The Manager,

Rayalaseema Grameena Bank,

Tondur Branch, Cuddapah District.

2. The prohibition & Excise Superintendent,

Cuddapah, Cuddapah District.

3. The Commercial Tax Officer, Cuddapah,

Cuddapah District.

(dismissed for default against R2 vide court order dated 13.7.2000)

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction particularly one in the nature of writ of mandamus declaring the action of the 1st respondent in not returning the amount on the production of bank guarantee deeds by the petitioner released by the 2nd respondent as the final assessment is not served with Section 17 notice by the 3rd respondent to the petitioner as illegal and arbitrary and also as per the endorsement made by the 3rd respondent dated 16.6.1995 and to direct the 1st respondent to return the amount payable to the petitioner towards the bank guarantee amount as per the Honourable high Court judgment in WP No.7953 of 1995 dated 21.4.1995.

Counsel for the Petitioner: MR.K.V.UPENDRA GUPTA

Counsel for the Respondents: Special Government Pleader for Taxes, High Court of A.P. Hyderabad.

The Court made the following :

ORAL ORDER: (per Sri BRSR.J)

The cause in this writ petition does not survive requiring any further adjudication. The writ petition shall accordingly stand dismissed. There shall be no order as to costs.

(B.SUDERSHAN REDDY,J)

Dt.27.4.2005

(C.V.RAMULU,J)

msv.

To

1. The Manager,

Rayalaseema Grameena Bank,

Tondur Branch, Cuddapah District.

2. The Commercial Tax Officer, Cuddapah,

Cuddapah District.

3. 2 CCs to Special GP for Taxes, High Court of A.P. Hyderabad

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4. 2 CD copies.